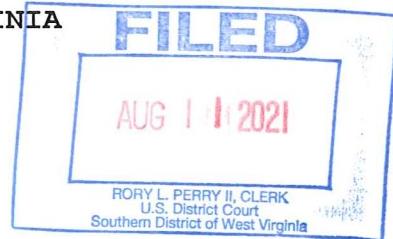


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF WEST VIRGINIA
BECKLEY GRAND JURY 2021
AUGUST 10, 2021

UNITED STATES OF AMERICA



v.

CRIMINAL NO.

2:21-00146
18 U.S.C. § 1001(a)(2)
18 U.S.C. § 2(b)

KEVIN COMER

I N D I C T M E N T
(Willfully Causing a False Statement to be Made in a Matter within
the Jurisdiction of the Executive Branch)

The Grand Jury charges:

GENERAL ALLEGATIONS

At all times relevant to this Indictment:

1. The United States Department of Justice was a department within the executive branch of the Government of the United States.
2. The Federal Bureau of Investigation ("FBI") was an agency of the Department of Justice.
3. The FBI was the primary federal agency responsible for investigating allegations regarding violations of federal civil rights statutes.
4. A person known to the Grand Jury ("Person 1") was a law enforcement officer and a candidate for sheriff of Jackson County, West Virginia.

5. Another person known to the Grand Jury ("Person 2") was a former law enforcement officer and a candidate for sheriff of Jackson County, West Virginia.

6. Defendant KEVIN COMER was a private resident of Kanawha County, West Virginia, with no law enforcement credentials.

7. Josh Williams was a fictitious persona created by defendant KEVIN COMER.

SPECIFIC OFFENSE CONDUCT

8. On or about March 10, 2020, defendant KEVIN COMER contacted Person 2 by telephone and represented himself to be Josh Williams. Defendant KEVIN COMER, representing himself to be Josh Williams, falsely claimed in this conversation that he had recently been the victim of targeted harassment by Person 1 in his capacity as a law enforcement officer. Person 2 informed defendant KEVIN COMER, acting as the fictitious Josh Williams, that he was going to report this to the FBI.

9. Knowing that Person 2 intended to report the false encounter to the FBI, defendant KEVIN COMER called Person 2 a second time on March 10, 2020, and again represented himself to be Josh Williams. In the second conversation, defendant KEVIN COMER pretending to be Josh Williams, knowingly and willfully provided false information about the encounter, and claimed he had been assaulted by Person 1 in his capacity as a law enforcement officer. Person 2 again told defendant KEVIN COMER he intended to report this

alleged incident to the FBI, and further told defendant KEVIN COMER that he was going to the FBI tomorrow.

10. On or about March 11, 2020, Person 2 reported the alleged assault of Josh Williams by Person 1 to an FBI Special Agent at the FBI office in Charleston, West Virginia.

11. After Person 2's report to the FBI, Special Agents with the FBI expended agency time and resources gathering information and investigating whether the fictitious Josh Williams was the victim of a federal civil rights crime.

12. Special Agents with the FBI involved in this matter were unaware that Josh Williams was a fictitious person, and not the victim of a federal civil rights crime, until on or about May 19, 2020, when a federal law enforcement officer employed with a different agency advised the FBI that defendant KEVIN COMER was pretending to be Josh Williams.

13. At all times relevant to this indictment, defendant KEVIN COMER knew that Josh Williams was a fictitious person, and that Josh Williams had not been assaulted by Person 1.

14. At all times relevant to this indictment, Person 2 was unaware that Josh Williams was a fictitious person.

15. Wherefore, from on or about March 10, 2020, and continuing through at least March 11, 2020, at or near Charleston, Kanawha County, West Virginia, and within the Southern District of West Virginia, defendant KEVIN COMER, did willfully cause another to make a materially false, fictitious, and fraudulent statement and

representation in a matter within the jurisdiction of the Federal Bureau of Investigation, an agency within the executive branch of the United States.

In violation of Title 18, United States Code, Sections 1001(a)(2) and 2(b).

LISA G. JOHNSTON
Acting United States Attorney

By:


M. Ryan Blackwell
Assistant United States Attorney